

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

CAROLYN GREENE, on behalf of herself)
and all others similarly situated,)

Plaintiff,)

v.)

Civil Action No. 1:03-CV-12628 (NG)

BIOPURE CORPORATION, THOMAS)
A. MOORE, CARL W. RAUSCH, and)
RONALD F. RICHARDS,)

Defendants.)

JOHN G. ESPOSITO, JR., on behalf of)
himself and all others similarly situated,)

Plaintiff,)

v.)

Civil Action No. 1:04-CV-10013 (NG)

BIOPURE CORPORATION, THOMAS)
A. MOORE, CARL W. RAUSCH, and)
RONALD F. RICHARDS,)

Defendants.)

[Captions continued on next page]

**BIOPURE LEAD PLAINTIFF GROUP'S UNOPPOSED MOTION FOR LEAVE TO
FILE REPLY BRIEF IN SUPPORT OF MOTION FOR APPOINTMENT
OF LEAD PLAINTIFF AND FOR APPROVAL OF SELECTION
OF LEAD COUNSEL AND LIAISON COUNSEL**

JOSEPH L. KING, on behalf of himself)
 and all others similarly situated,)

Plaintiff,)

v.)

BIOPURE CORPORATION, THOMAS)
 A. MOORE, CARL W. RAUSCH, and)
 RONALD F. RICHARDS,)

Defendants.)

Civil Action No. 1:04-CV-10038 (NG)

MICHAEL E. CRIDEN, individually and)
 on behalf of all others similarly situated,)

Plaintiff,)

v.)

BIOPURE CORPORATION, THOMAS)
 A. MOORE, and CARL W. RAUSCH,)

Defendants.)

Civil Action No. 1:04-CV-10046 (NG)

ISRAEL SHURKIN and SHARON)
 SHURKIN, individually and on behalf of)
 all others similarly situated,)

Plaintiff,)

v.)

BIOPURE CORPORATION, THOMAS)
 A. MOORE, and CARL W. RAUSCH,)

Defendants.)

Civil Action No. 1:04-CV-10055 (NG)

[Captions continued on next page]

JAMES J. NIZZO, VIRGINIA C. NIZZO,)
 and CARLO CILIBERTI, on behalf of)
 themselves and all others similarly situated,)

Plaintiff,)

v.)

Civil Action No. 1:04-CV-10065 (NG)

BIOPURE CORPORATION, THOMAS)
 A. MOORE, CARL W. RAUSCH, and)
 RONALD F. RICHARDS,)

Defendants.)

BARRY BROOKS, on behalf of himself)
 and all others similarly situated,)

Plaintiff,)

v.)

Civil Action No. 1:04-CV-10077 (NG)

BIOPURE CORPORATION, THOMAS)
 A. MOORE, CARL W. RAUSCH, and)
 RONALD F. RICHARDS,)

Defendants.)

ANASTASIOS PERLEGIS, individually)
 and on behalf of all others similarly)
 situated,)

Plaintiff,)

v.)

Civil Action No. 1:04-CV-10078 (NG)

BIOPURE CORPORATION, THOMAS)
 A. MOORE, CARL W. RAUSCH, and)
 RONALD F. RICHARDS,)

Defendants.)

[Captions continued on next page]

MARTIN WEBER, on behalf of himself)
 and all others similarly situated,)

Plaintiff,)

v.)

BIOPURE CORPORATION, THOMAS)
 A. MOORE, CARL W. RAUSCH, and)
 RONALD F. RICHARDS,)

Defendants.)

Civil Action No. 1:04-CV-10090 (NG)

BRUCE HAIMS, individually and on)
 behalf of all others similarly situated,)

Plaintiff,)

v.)

BIOPURE CORPORATION, THOMAS)
 A. MOORE, CARL W. RAUSCH, and)
 RONALD F. RICHARDS,)

Defendants.)

Civil Action No. 1:04-CV-10144 (NG)

MODEL PARTNERS LIMITED,)
 individually and on behalf of all others)
 similarly situated,)

Plaintiff,)

v.)

BIOPURE CORPORATION, THOMAS)
 A. MOORE, CARL W. RAUSCH, and)
 RONALD F. RICHARDS,)

Defendants.)

Civil Action No. 1:04-CV-10155 (NG)

[Captions continued on next page]

JUNE E. PATENAUDE, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

BIOPURE CORPORATION, THOMAS
A. MOORE, CARL W. RAUSCH, and
RONALD F. RICHARDS,

Defendants.

Civil Action No. 1:04-CV-10179 (NG)

NANCY L. PINKNEY and GERTRUDE
PINCKNEY, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

BIOPURE CORPORATION, THOMAS
A. MOORE, and CARL W. RAUSCH,

Defendants.

Civil Action No. 1:04-CV-10189 (NG)

W. KENNETH JOHNSON, on behalf of
himself and all others similarly situated,

Plaintiff,

v.

BIOPURE CORPORATION, THOMAS
A. MOORE, CARL W. RAUSCH, and
RONALD F. RICHARDS,

Defendants.

Civil Action No. 1:04-CV-10190 (NG)

[Captions continued on next page]

GREGOEY KRUSZKA, on behalf of)	
himself and all others similarly situated,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:04-CV-10202 (NG)
)	
BIOPURE CORPORATION, THOMAS)	
A. MOORE, CARL W. RAUSCH, and)	
RONALD F. RICHARDS,)	
)	
Defendants.)	

Pursuant to Local Rule 7.1(B)(3), Lead Plaintiff Movant, the Biopure Lead Plaintiff Group, by and through its undersigned counsel of record, respectfully moves for leave of court to file a reply a memorandum in further support of its Motion to Consolidate Actions, to be Appointed Lead Plaintiff and For Approval of Selection of Lead and Liaison Counsel (“Lead Plaintiff Motion”).

In support of this Motion, lead plaintiff movants Neil and Susan Fineman, Michael Navilio, Robert Powell and Edward Collins (the “Biopure Lead Plaintiff Group”), contend that a reply memorandum is necessary to address the arguments and assertions in the various moving papers and opposition memoranda. The Biopure Lead Plaintiff Group’s proposed Reply Memorandum is submitted herewith. There is no opposition to this Motion from any other lead plaintiff movant or from the defendants.

WHEREFORE, the Biopure Lead Plaintiff Group, respectfully requests leave of Court to file a reply memorandum in support of its Lead Plaintiff Motion.

CERTIFICATION UNDER LOCAL RULE 7.1(A)(2)

Undersigned counsel hereby certify that they conferred with counsel for the other lead

plaintiff movants and the Defendants in a good faith effort to resolve or narrow the issues raised by this Motion and that counsel for all such parties have indicated that they will not oppose this Motion.

Dated: May 11, 2004

Respectfully submitted,

GILMAN AND PASTOR, LLP

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